

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

March 25, 2025

Nathan Ochsner, Clerk of Court

United States of America

v.

Deived Garza (2003/US)

Case No. M-25-0560-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 25, 2025 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC § 554

Did knowingly and unlawfully export or attempt to export from the United States, any merchandise, article, or object, to wit; approximately 4,700 rounds of 7.62x39mm ammunition, as defined by the Commerce Control List, contrary to any law or regulation of the United States, in that the Defendant had not obtained a license or written authorization for such export, in violation of Title 50, United States Code, Section 4819(2), and Title 15, Code of Federal Regulations, Section 730 et seq., all in violation of Title 18, United States Code, Section 554

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Approved by: AUSA Roberto Lopez, Jr.

/s/ Kevin Waukau

Complainant's signature

Submitted by reliable electronic means, sworn to
and attested to telephonically per Fed. R. Cr. 4.1,
and probable cause found on:

Kevin Waukau, HSI Special Agent

Printed name and title

Date: March 25, 2025 at 7:38 p.m.

Judge's signature

City and state: McAllen, TX

U.S. Magistrate Judge Nadia S. Medrano

Printed name and title

Attachment “A”

I, Kevin Waukau, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On March 25, 2025, law enforcement officers in Hidalgo, Texas encountered Deived Garza (“GARZA”), a United States citizen, while attempting to depart the United States into Mexico.
2. GARZA was found to have an outstanding warrant for his arrest in Hidalgo County, Texas and was subsequently detained.
3. GARZA subsequently admitted to possessing approximately 2,000 rounds of ammunition in the vehicle he was driving, which he intended to take to Mexico.
4. A subsequent inspection of the vehicle by CBP officers located approximately 4,700 rounds of 7.62x39mm ammunition concealed in an aftermarket constructed concealed compartment.
5. The ammunition is a controlled item contained within the Commerce Control List. GARZA does not have a license to export ammunition from the United States.